

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BENJAMIN McDUFFIE,

Plaintiff,

-against-

UNITED STATES OF AMERICA, ET AL.,

Defendants.

24cv5070 (LTS)

CIVIL JUDGMENT

For the reasons stated in the September 25, 2024, order, this action is dismissed. By order dated July 5, 2024, the Court directed Plaintiff, within thirty days, to submit a completed request to proceed in forma pauperis (“IFP application”) and prisoner authorization or pay the \$405.00 in fees required to file a civil action in this court. That order specified that failure to comply would result in dismissal of the complaint. Plaintiff has not filed an IFP application and prisoner authorization or paid the fees. Accordingly, the complaint is dismissed without prejudice. See 28 U.S.C. §§ 1914, 1915. The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from the order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. Cf. Coppededge v. United States, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue). SO ORDERED.

Dated: September 30, 2024
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge